Attorney Docket No.: 501049.20506 (20066-86)

Customer No.: 026418

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

Applicant: Shlomo Ben-Haim et al. Art Unit:

3762

MAR 0 7 2005

Serial No.:

10/001,710

Examiner:

C.H. LaxOPFICE OF PETITIONS

Filing Date: October 31, 2001

Confirmation No.:

3830

For:

Electrical Muscle Controller

March 4, 2005

Mail Stop: Office of Petitions Commissioner for Patents P.O. Box 1450 Alexandria, A 22313-1450

Third Supplemental Information Disclosure Statement

SIR:

The enclosed Supplemental Information Disclosure Statement ("IDS") is submitted in accordance with 37 C.F.R. §§ 197 and 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

In accordance with 37 C.F.R. § 1.98 forms PTO-1449 are attached hereto. Copies of the documents cited are being forwarded under separate cover.

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The filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in § 1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicants reserve the right to prove that the date of publication is in fact different.

No fee is believed due. However, any fee necessary for entry of this paper should be charged to **Deposit Account No. 50-1529**.

Respectfully submitted

March 4, 2005

William H. Dippert Registration No. 26,723

Reed Smith LLP 599 Lexington Avenue 29th Floor New York, New York 10022-7650

Telephone: Facsimile:

212-521-5400 212-521-5450

e-Mail:

whdippert@reedsmith.com

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Substitute for form 1449/PTO					Complete if Known		
					Application Number	10/001,710	
	INE		ON DISC	OSLIDE	Filing Date	October 31, 2001	
		First Named Inventor	Shlomo Ben-Haim				
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Art Unit	3762			
		(Use as man	ny sheets as neces	ssary)	Examiner Name	C.H. Layno	
	Sheet	1	of	14	Attorney Docket Number	501049.20506 (20066-86)	

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number-Kind Code ^{2 (f known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		^{US-} 3,572,345	Mar. 1971	Auphan	
		^{US-} 3,587,567	Jun. 1971	Schiff	RECEIVED
		^{US-} 3,651,805	Mar. 1972	Breiling	
		^{US-} 3,942,536	Mar. 1976	Dahl, et al.	MAR 0 7 2005
		^{US-} 3,952,750	Apr. 1976	Mower	
		^{US-} 4,030,509	Jun. 1977	Salo, et al.	OFFICE OF PETITION
		^{US-} 4,106,494	Aug. 1978	McEachern	
		^{US-} 4,164,216	Aug. 1979	Person	
		^{US-} 4,184,493	Jan. 1980	Mower, et al.	
		^{US-} 4,202,340	May, 1980	Mower, et al.	
		^{US-} 4,223,678	Sept. 1980	Mower	
		^{US-} 4,237,895	Dec. 1980	Johnson	
		^{US-} 4,273,114	Jun.1981	Berkalow, et al	
		^{US-} 4,312,354	Jan. 1982	Walters	
		US- 4,316,472	Feb. 1982	Mower, et al.	
		^{US-} 4,384,585	May 1983	Zipes	
		^{US-} 4,387,717	Jun. 1983	Brownlee	
		^{US-} 4,403,614	Sep. 1984	Engle et al.	
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
		EP 148687	Jul. 1985	Henry, et al.		Г
		EP 148687	Jul. 1985	Henry, et al.		
		EP 0314078A1	May 1989	Mehra		
		JP 4365493	Dec. 1992	Yutaka		
		JP 7126600	May 1995	Kazusuke		
		JP 8243176A2	Sept. 1996	Kjell	-	

		
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Signature		
Signature	Considered	

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Translation is attached.

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3762 (Use as many sheets as necessary) Examiner Name C.H. Layno Attorney Docket Number | 501049.20506 (20066.86) Sheet

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number-Kind Code ^{2 (f known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		^{US-} 4,440,172	Apr. 1984	Langer	
		^{US-} 4,506,680	Mar. 1985	Stokes	
		^{US-} 4,543,738	Oct. 1985	Hellman, et al.	
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		^{US-} 4,559,946	Dec. 1985	Langer, et al.	RECEIVED
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		^{US-} 4,628,934	Dec. 1986	Pohndorf et al.	AFFIAR OF DETITION
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		^{US-} 4,674,508	Jun. 1987	DeCote	
		^{US-} 4,679,572	Jul. 1987	Baker, Jr.	
		^{US-} 4,690,155	Sep. 1987	Hess	
		^{US-} 4,726,379	Feb. 1988	Altman et al.	
		^{US-} 4,765,341	Aug. 1988	Langer, et al.	
		US- 4,830,006	May 1989	Haluska et al.	
		^{US-} 4,928,688	May, 1990	Mirowski, et al.	
		^{US-} 4,979,507	Dec. 1990	Heinz, et al.	
		^{US-} 4,998,531	Mar. 1991	Bocchi et al.	
		^{US-} 5,003,976	Apr. 1991	Alt	

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		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY	,	Or Relevant Figures Appear	T⁵
		JP 04117967A2	Apr. 1992	Masayoshi		
		WO 92/00716	Jan. 1992	Waide et al.		Г
		WO 95/08316	Sept. 1995	Vistung		T
		WO 97/25101	Jan. 1997	Ben-Haim		
		WO 98108310	Sept. 1996			
		WO 200004947	Jan. 2002			

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Complete if Known Substitute for form 1449/PTO Application Number 10/001,710 Filing Date October 31, 2001 INFORMATION DISCLOSURE First Named Inventor Shlomo Ben Haim STATEMENT BY APPLICANT Art Unit 3762 (Use as many sheets as necessary) Examiner Name C.H. Layno Attorney Docket Number 501049 20506 (20066-86)

Sheet		3 of	19	Attorney Docket Number 50104	19.20506 (20066-86)
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Examiner	Cite	Door-sed March		T DOCUMENTS	Dance Columns Lines Where
Initials*	No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Number-Kind Code ^{2 (f known)}			Figures Appear
	AY	^{US-} 5,020,544	Jun. 1991	Langer, et al.	
	AZ	^{US-} 5,022,396	Jun. 1991	Watanabe	
	BA	^{US-} 5,044,375	Sep. 1991	Bach, Jr. et al.	
	ВС	^{US-} 5,087,243	Feb. 1992	Avitall	RECEIVED
	BD	^{US-} 5,097,832	Mar. 1992	Buchanan	
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	BF	^{US-} 5,129,394	Jul. 1992	Mehra	
	BG	^{US-} 5,137,021	Aug. 1992	Wayne, et al.	OFFICE OF PETITIONS
	ВН	^{US-} 5,156,149	Oct. 1992	Hudrlik	
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	BN	^{US-} 5,282,785	Feb. 1994	Shapland, et al.	
	во	^{US-} 5,284,491	Feb. 1994	Sutton, et al.	
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	BQ	^{US-} 5,305,745	Apr. 1994	Zacouto	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶

Roline et al.

Jun. 1994

BR US- 5,320,643

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Signature	Considered	

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Sheet

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Initials*	Cite No. ¹	Number-Kind Code ^{2 (# known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	BS	^{US-} 5,327,887	Jul. 1994	Nowakowski	
	ВТ	^{US-} 5,353,800	Oct. 1994	Pohndorf	
	BU	^{US-} 5,366,486	Nov. 1994	Zipes, et al.	·
	BV	^{US-} 5,368,040	Nov. 1994	Carney	
	BW	^{US-} 5,370,665	Dec. 1994	Hudrlik	RECEIVED
	ВХ	^{US-} 5,386,837	Feb. 1995	Sterzer	O Shim William T Reserve
	BY	^{US-} 5,387,419	Feb. 1995	Levy	MAR 0 7 2005
	BZ	^{US-} 5,391,192	Feb. 1995	Lu	
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	СВ	^{US-} 5,398,683	Mar. 1995	Edwards	
	CD	^{US-} 5,415,629	May 1995	Henley, J.L.	
	CE	^{US-} 5,417,717	May 1995	Salo, et al.	
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	CL	^{US-} 5,468,254	Nov. 1995	Hahn	

		FORE	IGN PATENT DOCU	MENTS		
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				ssary)	Examiner Name	C.H. Layno
Sr	neet	5	of	14	Attorney Docket Number	501049.20506 (2066-86)

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Initials*	No.1	Number-Kind Code ^{2 (# known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
_	СМ	^{US-} 5,472,453	Dec. 1995	Alt	
	CN	^{US-} 5,476,484	Dec. 1995	Hedberg	
	СО	^{US-} 5,476,485	Dec. 1995	Weinberg et al.	
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	CR	^{US-} 5,501,662	Mar. 1996	Hofman	RECEIVED
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	СТ	^{US-} 5,520,642	May 1996	Bigagli, et al.	MAR 0 7 2005
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	СХ	^{US-} 5,568,809	Oct. 1995	Ben-Haim	
	CY	^{US-} 5,584,803	Dec. 1996	Stevens	
	CZ	^{US-} 5,587,200	Dec. 1996	Lorenz	
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	DB	^{US-} 5,622,687	Sept. 1997	Hedberg et al.	
	DC	^{US-} 5,626,622	May 1997	Cooper	
	DD	^{US-} 5,634,899	Jun. 1997	Shapland, et al.	
	DE	^{US-} 5,674,251	Oct. 1997	Combs et al.	

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	DF	^{US-} 5,674,259	Oct. 1997	Gray	
	DG	^{US-} 5,683,431	Nov. 1997	Wang	
	DH	^{US-} 5,687,734	Nov. 1997	Dempsey et al.	
	DI	^{US-} 5,713,935	Feb.1998	Prutchi et al. '	
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	Na	^{US-} 5,755,740	May 1998	Nappholtz	APPER AP APTITIO
	DN	^{US-} 5,782,876	Jul. 1998	Flammang	OFFICE OF PETITIO
	DO	^{US-} 5,782,881	Jul. 1998	Lu et al.	
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	DQ	^{US-} 5,792,208	Aug. 1998	Gray	
	DR	^{US-} 5,797,967	Aug. 1998	KenKnight	
	DS	^{US-} 5,807,234	Sep. 1998	Bui et al.	
	DT	us- 5,807,306	Sep. 1998	Shapland et al.	
	DU	^{US-} 5,865,787	Feb. 1999	Shapland et al.	
	DV	^{US-} 5,906,607	May 1999	Taylor, et al.	
	DW	^{US-} 5,927,284	Jul. 1999	Borst, et al.	
	DX	^{US-} 6,032,074	Feb. 2000	Collins	

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Substitute for form 1449/PTO

Application Number 10/001.710

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known					
Application Number	10/001,710	-			
Filing Date	October 31, 2001				
First Named Inventor	Shlomo Ben Haim				
Art Unit	3762				
Examiner Name	C.H. Layno				
Attorney Docket Number	501049 20506 (20066 86)	フ			

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number-Kind Code ^{2 (d known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		^{US-} 6,032,672	Mar. 2000	Taylor	
		^{US-} 6,041,252	Mar. 2000	Walker et al.	
		^{US-} 6,071,305	Jun. 2000	Brown et al.	
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		^{US-} 6,086,582	Jul. 1997	Altman et al.	RECEIVED
		^{US-} 6,136,019	Oct. 2000	Mower	HEGEIVER
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages			
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Complete if Known Substitute for form 1449/PTO **Application Number** 10/001,710 Filing Date October 31, 2001 INFORMATION DISCLOSURE First Named Inventor Shlomo Ben-Haim STATEMENT BY APPLICANT Art Unit 3762 (Use as many sheets as necessary) Examiner Name C.H. Layno 501049.20506 (20066-86) Attorney Docket Number

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Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	FN	^{US-} 6,141,586	Oct. 2000	Mower	
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		FORE	IGN PATENT DOCU	MENTS		
Examiner Cite	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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Substitute for form 1449B/PTO Complete if Known **Application Number** RECEIVED 10/001,710 INFORMATION DISCLOSURE Filing Date October 31, 2001 STATEMENT BY APPLICANT First Named Inventor Shlomo Ben Haim Art Unit 3762 OFFICE OF PETITIONS (Use as many sheets as necessary) **Examiner Name** C.H. Layno Sheet 14 Attorney Docket Number 501049.20506 (20066-86) 9

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	The magazina journal corial aumopoium potalog ato bidata naga(a) valuma jagua aumbar(a) mubliabar aitu					
	FQ	Antman, E.M. et al. "Treatment of 150 Cases of Life-Threatening Digitalis Intoxication with Digoxin-Specific Fab Antibody Fragments;" June 1990 Circulation; Vol. 81: No. 6: pp. 1744-1752.					
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	FT	Bakker, P.F., et al., "Beneficial Effects of Biventricular Pacing of Congestive Heart Failure", PACE, Vol. 17, April 1994, Part 11, one page					
	FU	Bakker, P.F., et al., " Biventricular Pacing Improves Functional Capacity in Patients with End-Stage Congestive Heart Failure" PACE, Vol. 17, April 1995, Part 11, one page					
•••••••••••••••••••••••••••••••••••••••	FV	Bargheer K. et al., "Prolongation of Monophasic Action Potential Duration and the Refractory Period in the Human Heart by Tedisamil, a New Potassium-Blocking Agent", J. Eur Heart 15 (10), Oct. 1994, pp. 1409-1414	***********				
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	FY	Cazeau S. et al., "Multisite Pacing for End-Stage Heart Failure: Early Experience", Pacing and Clinical Electrophysiology Vol. 19, Nov. 1996, Part 11, pp. 1748-1757					
***************************************	FZ	Cooper, W., "Postextrasystolic Potentiation: Do We Really Know What It Means and How To Use It?" Circulation, Vol. 88, No. 6, Dec. 1993, pp. 2962-2971.	**********				

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Examiner	Date	
Signature	Considered	

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	Substitute t	for form 1449B/PTO			Application Number 10/001,710 RECEIVED				
					Application Number	10/001,710	HEUE	IVED	
		RMATION			Filing Date	October 31, 2001	MAR 0	7 2005	
	STATEMENT BY APPLICANT				First Named Inventor	Shlomo Ben Hain	1 WAR U	-1 - <u>CUUJ</u>	
					Art Unit	3762	FFICE OF	PETITION	
	(Use as many sheets as necessary)				Examiner Name	C.H. Layno			
_	Sheet	10	of	14	Attorney Docket Number	501049.20506 (2	20066-86)		

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						
	GA	Dillon, SM., abstract of "Synchronized Repolarization After Defibrillation Shocks. A Possible Component of the Defibrillation Process Demonstration By Optical Recordings in Rabbit Heart", Circulation, May 1992, Vol. 85, No. 5, pp. 1865-78					
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	GJ	Ham, Frederic M and Han, Soowhan, "Classification of Cardiac Arrhythmias Using Fuzzy Artmap"; IEEE Transactions on Biomedical Engineering, Vol. 43, No. 4, Apr. 1996.	**********				

Examiner	Date	
Signature	Considered	

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Substitute for form 1449B/PTO Complete if Known **Application Number** 10/001,710 INFORMATION DISCLOSURE Filing Date October 31, 2001 STATEMENT BY APPLICANT First Named Inventor Shlomo Ben Haim Art Unit 3762 OFFICE OF PETITIONS (Use as many sheets as necessary) Examiner Name C.H. Layno Sheet 11 14 Attorney Docket Number 501049.20506 (20066-86)

		NON PATENT LITERATURE DOCUMENTS				
Examiner Cite No.1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (bool magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
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		Morse, et al., "A Guide to Cardiac Pacemakers,Defibrillators and Related Products", Droege Computing Services, Durham, NC.	**********			

Examiner	,	Date	
Signature		Considered	1

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Complete if Known RECEIVED Substitute for form 1449B/PTO **Application Number** INFORMATION DISCLOSURE Filing Date October 31, 2001 Shlomo Ben HaimMAR 0 7 2005 STATEMENT BY APPLICANT First Named Inventor Art Unit 3762 OFFICE OF PETITIONS (Use as many sheets as necessary) **Examiner Name** C.H. Layno Sheet 12 Attorney Docket Number 14 501049.20506 (20066-86)

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²				
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		Tsong, T.Y., "Electroportion of Cell Membranes" August 1991; pp. 297-306; Biophysical Journal; Vol. 60	***********				

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Signature	1	Considered	1

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Substitute for form 1449B/PTO Complete if Knowith **Application Number** 10/001,710 INFORMATION DISCLOSURE Filing Date October 31, 2001 STATEMENT BY APPLICANT **First Named Inventor** Shlomo Ben-Haim Art Unit 3762 (Use as many sheets as necessary) **Examiner Name** C.H. Layno Sheet 13 Attorney Docket Number 14 501049.20566 (20066-86)

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
	HE	Verrier, et al, "Electrophysiologic Basis for T Wave Alternans as an Indeox of Vulnerability to Ventricular Fibrillation" Journal of Cardiovascular Electrophysiology, Vol. 5, pp. 445-461, 1994				
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	нк	"The Latest Tetralogy of Fallot Discussion with Graphical Support Including Video of Echocardiography and Catherization" Pediatric Electrophysiologypicu Book ("An On-Line Resource for Pediatric Critical Care")				
	HL	Brumwell D.A. et al. "The Amplifier: Sensing the Depolarization", Implantable Cardioverter Defibrillator Therapy: The Engineering-Clinical Interface, Chapt. 14, pp. 275-302, Eds. Kroll and Lehmann, Kluwer Academic Publishers, USA 1997				
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Examiner Signature	Date Considered	

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					Application Number	10/001,710	
INFORMATION DISCLOSURE					Filing Date	October 31, 2001	MAR 0 7 2005
	(Use as many sheets as necessary)			First Named Inventor	Shlomo Ben-Hair	FICE OF PETITION	
				Art Unit	3762		
				Examiner Name	C.H. Layno		
	Sheet	14	of	14	Attorney Docket Number	501049.20506 (200	066.86)

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials* Cite No.1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (boo magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T²		
	но	Matheny R.G. and C.J. Shaar, "Vagus Nerve Stimulation as a Method to Temporarily Slow or Arrest the Heart" Annals of Thoracic Surgery. 63 (6) Supplement, pp. S28-29, June 1997			
	HP	Supino, C.G., "The System", Implantable Cardioverter Defibrillator Therapy: The Engineering-Clinal Interface, Chapt. 8, pp. 163-172, Eds. Mark W. Kroll and Michael H. Lehmann, Kluwer Academic Publishers, USA 1997			
	HQ	Thakor et al., "Effect of Varying Pacing Waveform Shapes on Propagation and Hemodynamics in the Rabbit Heart", The Americal Journal of Cardiology 79 (6A), pp.36-43,1997.			
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